

REMARKS

The Office Action dated November 6, 2003 has been carefully reviewed. Claims 14, 16, 17 and 18 have been canceled. Claims 1, 21-25 have been amended. Therefore, claims 1-13, 15 and 19-25 are pending. Reconsideration of the grounds of rejection is respectfully requested in view of the amendments and remarks herein.

Summary of the Office Action

References to paragraphs in the subject office action are referred to herein in parentheses identifying the appropriate paragraph, e.g. (para x).

Claims 1-25 have been rejected, under 35 U.S.C. § 102(e), as being anticipated by U.S. Patent No. 6,501,832 B1, issued to Saylor et al. ("Saylor") (para 2).

Claims 1, 21, 22-25 have also been rejected, under 35 U.S.C. § 102(b) as being anticipated by "The Anatomy of a large-scale hypertextual web search engine" by Sergey et al. ("Sergey") (para 3).

Response to Office Action

A. Rejection of Claims 1-25

In response to the Examiner's rejection of claims 1-25, the Applicants respectfully submit that Saylor fails to disclose each and every element of claims 1-25. "A claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987).

1. Rejection of Claims 1, 21, 22 and 23

Claim 1 is directed to a method of providing news relating to a specified subject to a subscriber. The method is comprised of the following steps: selecting a plurality of Web sites operated by content providers and relating to a category to which the specified subject relates; automatically determining the relevancy of at least one Web page in each selected Web site by scanning at least one Web page for words relating to the specified subject; automatically determining the content type of at least one Web page in each selected Web site by scanning at least one Web page for words indicating content type; compiling a

list of relevant Web pages based only on the results of steps (b) and (c), wherein the list includes hyperlinks to the relevant Web pages; and providing the compiled list to the subscriber, wherein the subscriber is a party other than one of said content providers, wherein the providing comprises transmitting the compiled list from a Web server to the subscriber over the Internet.

Saylor discloses a method and system for accessing voice pages and registering a voice code (“VCode”) associated with the voice pages. Col. 46, lines 32-34. A VPage is a page of voice content and a VBook is a collection of one or more pages of VPages. Col. 2, lines 18-19. A VCode is a numeric code or an alphanumeric code assigned to each page of voice content and is delivered to a user over a user device or phone so the user may hear the content. Col. 1, lines 58-60; Col. 10, line 37. The VCode may contain more than one field and may exist in multiple formats. Col. 2, line 65 and Col. 3, lines 10-11. For example, the VCode may consist of an alphanumeric code comprising a combination of “VBook identifier and VPage identifier portions.” Col. 14, lines 49-50. The voice content of the VPage may be stored as an audio file, a text file later converted to audio or a XML-based voice content file. Col. 2, lines 8-16. The system includes voice network access providers (“VNAP”) connected to users over a communication network. col. 14, lines 2-3. The VNAP stores the VBook or VPage on servers found at various locations. Col. 2, lines 18-24. A user accesses the contents of a VBook or VPage by sending the associated VCode to the VNAP using a telephony device. Col. 9, line 62-Col. 10, line 4.

In contrast, claim 1 recites the limitation of “compiling a list of relevant Web pages based only on the results of steps (b) and (c), wherein the list includes hyperlinks to the relevant Web pages...and transmitting the compiled list [including the hyperlinks] from a web server to the subscriber over the internet.” A “hyperlink” is an underlined or highlighted word or phrase on a web page.

(<http://www.ivillage.co.uk/computers/tools/jargon/0,,1-63-H-,00.html>) When the word or phrase is clicked, it can take you to another part of the page, to a different page or to another location anywhere on the web. Id. The Examiner has cited Saylor as disclosing an index of VPages based on the associated VCode. Col. 14, lines 46-62. When a user enters the VCode to access voice content of a VPage, the

VNAP retrieves the VPage from the VCode system (Col. 14, lines 50-51.) in order to provide voice content to the user over a telephone (Col. 1, lines 58-60; Col. 2, line 7). The Applicants respectfully submit that the index of VPages is not a list of relevant Web pages with hyperlinks transmitted to a subscriber over the Internet, as recited in the pending claims. To the extent that information is provided to the user in Saylor, it is clear that the user is not provided with a highlighted/underlined word on a web page (e.g., a hyperlink) that the user can click on to view a different page/location, as required by the present claims.

In further contrast to Saylor, the claim 1 limitation requires “providing the compiled list to the subscriber, wherein the subscriber is a party other than one of said content providers, wherein providing comprises transmitting the compiled list from a Web server to the subscriber over the Internet.” The Examiner has cited Col. 16, line 63-Col. 17, line 4 and Col. 16, lines 8-27. Saylor discloses a voice setting button that allows a subscriber to input favorite voice pages where the voice pages are a listing of VPages and VCodes. Col. 16, line 63-Col. 17, line 2. The Examiner has also cited to Saylor, Col. 16, lines 10-11, as disclosing a web subscription interface that allows subscribers to “sign up for VPage services” over the web. The Applicants respectfully submit that neither inputting favorite voice pages nor signing up for VPage services are the same as providing a compiled list including hyperlinks by transmitting the compiled list from a Web server to the subscriber over the Internet.

Regarding the claim 1 limitation of “automatically determining the relevancy of at least one Web page in each selected Web site by scanning at least one Web page for words relating to the specified subject,” the Examiner has cited Col. 8, line 54-Col. 9, line 18. The cited portion of Saylor discloses a VCode that directs a user to a VPage containing of a “menu of additional options,” provided by a VNAP. Col. 8, line 66-Col. 9, line 1. The menu allows a user to obtain additional information relevant to a specified subject. Id. The Applicants respectfully assert that providing, via a VNAP, a preexisting menu of options that directs a user to predetermined relevant information is not the same as scanning a Web page for words related to a specified subject to determine the relevancy of the Web page.

Regarding the claim 1 limitation of “automatically determining the content type of at least one Web page in each selected Web site by scanning at least one Web page for words indicating content type,” the Examiner has cited Col. 8, lines 37-53. A VNAP may store a VPage as an XML-based voice content along with an index of other information. Col. 8, lines 22-25. The index of other information is comprised of “information available via the World Wide Web.” Col. 8, lines 22-24; Col. 8, lines 40-41. The index of other information is obtained “by searching the web for content related to the content of stored VPages.” Col. 8, line 37-41. The search is performed during the user’s call and “only if a user desires access.” Col. 8, lines 41-50. The Applicants respectfully assert that automatically determining the content of a Web page by scanning the Web page in a selected Web site is not the same as searching the Web for content only if a user desires the information.

Therefore, Saylor fails to disclose each and every element of claim 1. Likewise Saylor fails to disclose each and every element of claims 21, 22 and 23 which contain the same claim elements as claim 1.

2. Rejection of Claim 11

Claim 11 depends from Claim 1. In addition to the claim elements for claim 1, claim 11 requires the following steps: (f) compiling a list of words based on the frequency with which such words have appeared in relevant links located in prior iterations of the method with respect to the same category; and (g) prompting the subscriber to select one or more words from the compiled list, wherein the words relating to the specified subject comprise words selected by the subscriber in step (f). For the reasons discussed above, Saylor fails to disclose each and every element of claim 11.

Saylor discloses a web based interface that allows a user to subscribe to the Vpage service. Col. 16, line 8-11. The service allows a user link to information related to the user’s name, email address, billing information and “MyContent.” Col. 17, lines 61-67. This link allows the user to “create, modify, or delete content” on the system. Col. 18, lines 4-6. It also discloses access of a VBook where the system retrieves the main VPage while caching the remaining VPages of the VBook. Col. 14, lines 63-66. The

user may then access the remaining VPages by entering the VPage identifier. Col. 15, lines 1-3. The examiner has identified these sections of Saylor as disclosing steps (f) and (g), of claim 11, respectively.

The Applicants respectfully disagree. Saylor does not disclose compiling a list of words where the list is based on the word's frequency of appearance in relevant links located in a previous iteration of the method. Instead, Saylor discloses a menu that allows a user to "view/set/change" user entered information. Col. 17, line 65. Saylor also does not disclose prompting the subscriber to select words from the compiled list generated in step (f). The cited passage of Saylor describes a system to temporarily store pages of voice content until the user decides to access a specific page of content by entering the Vpage identifier. The user's entering of a VPage identifier is not the same as selecting words from a compiled list where the list is based on the word's frequency of appearance in relevant links located in a previous iteration of the method.

3. Rejection of Claim 24

Claim 24 is directed to a method of providing news relating to a specified subject to a subscriber. The method is comprised of the following steps: selecting a plurality of Web sites relating to a category to which the specified subject relates; automatically determining the relevancy of at least one Web page in each selected Web site by scanning at least one Web page for words relating to the specified subject; automatically determining the content type of at least one Web page in each selected Web site by scanning at least one Web page for words indicating content type; compiling a list of relevant Web pages based only on the results of steps (b) and (c), wherein the list of relevant Web pages includes only those Web pages that are determined both to be relevant in step (b) and to be of a new content type in step (c) wherein the list includes hyperlinks to the relevant Web pages; and providing the compiled list to the subscriber, wherein the subscriber is a party other than one of said content providers, wherein the providing comprises transmitting the compiled list from a Web server to the subscriber over the Internet. As discussed above for claim 1, Saylor does not disclose the underlined claim elements as shown for claim 24.

Regarding the claim 24 claim limitation of “wherein the list of relevant Web pages includes only those Web pages that are determined both to be relevant in step (b) and to be of a new content type in step (c), wherein the list includes hyperlinks to the relevant Web pages” the Examiner has failed to address how Saylor discloses this claim element.

4. Rejection of Claim 25

Claim 25 is directed to a method of providing news relating to a specified subject to a subscriber. The method is comprised of the following steps: selecting a plurality of Web sites relating to a category to which the specified subject relates; automatically determining the relevancy of at least one Web page in each selected Web site by scanning at least one Web page for words relating to the specified subject; automatically determining the content type of at least one Web page in each selected Web site by scanning at least one Web page for words indicating content type; compiling a list of relevant Web pages based only on the results of steps (b) and (c), wherein the list of relevant Web pages includes only those Web pages that are determined both to be relevant in step (b) and not to be advertisements in step (c) wherein the list includes hyperlinks to the relevant Web pages; and providing the compiled list to the subscriber, wherein the subscriber is a party other than one of said content providers, wherein the providing comprises transmitting the compiled list from a Web server to the subscriber over the Internet. As discussed above for claim 1, Saylor does not disclose the underlined claim elements as shown for claim 25.

Regarding the claim 25 claim limitation of “wherein the list of relevant Web pages includes only those Web pages that are determined both to be relevant in step (b) and not to be advertisements in step (c), wherein the compiled list includes hyperlinks to the relevant Web pages,” the Examiner has cited Col. 9, lines 42-58. The cited section of Saylor, disclose examples of VPages linked to one another that providing movie reviews for a particular movie or an advertisement for the movie from different newspapers. Col. 9, lines 53-55. The Applicants respectfully submit that this cited section is not the

same as compiling a list of Web pages wherein the compiled list includes hyperlinks to the relevant Web pages.

5. Rejection of Claims 2-13, 15, 19 and 20

Claims 2-13, 15, 19 and 20 depend directly or indirectly from independent claim 1. Therefore, for the reasons note above claims 2-13, 15, 19 and 20 are allowable because such claims depend from an allowable base claim.

B. Rejection of Claims 1, 21, 22-25

The Examiner has cited "The Anatomy of a large-scale hypertextual web search engine" as an anticipating prior art reference under 35 U.S.C. § 102(b).

Prior art disclosures on the Internet or an on-line database are considered to be publicly available as of the date the item was publicly posted. If the publication does not include a publication date (or a retrieval date), it cannot be relied upon as prior art under 35 U.S.C. § 102(a) or (b), although it may be relied upon to provide evidence regarding the sate of the art. MPEP § 2128.

The reference has a printed date of October 23, 2003 on each and every page which is after the priority date of the present application. Although the reference bears a handwritten date of April, 1998, the Examiner has presented no showing that this reference was published as of April, 1998. The Applicants assert that absent a more official publication date, this reference does not qualify as prior art under 35 U.S.C. § 102(b).

CONCLUSION

In view of the foregoing amendments and remarks, it is submitted that pending independent claims 1, 21, 22, 23, 24, and 25 are in condition for allowance. In addition, it is submitted that dependent claims 2-13, 15, 19 and 20 are allowable, because such claims depend from an allowable base claim. Accordingly, reconsideration and allowance of claims 1-13, 15, 19-25 are requested.

Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 102(b) and 102(e) rejections presented in the Office Action mailed November 6, 2003. The Examiner is invited to contact the undersigned at 215-963-5055 to discuss any matter concerning this Application.

The Commissioner is hereby authorized by this paper to charge any fees due in connection with the filing of the response to Deposit Account No. 50-0310.

Respectfully submitted,

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